

1 ty or use such information for purposes of immigration
2 enforcement.

3 (g) INTERIM RULES.—Not later than 90 days after
4 the date of the enactment of this section, the Secretary
5 of Homeland Security shall publish in the Federal Reg-
6 ister, interim final rules implementing this section and
7 shall, not later than 90 days after such rules are pub-
8 lished, begin accepting and adjudicating applications for
9 parole under subsection (a)(1)(A).

10 **SEC. 60002. RECAPTURE OF UNUSED IMMIGRANT VISA**
11 **NUMBERS.**

12 (a) ENSURING FUTURE USE OF ALL IMMIGRANT
13 VISAS.—Section 201(c)(1)(B)(ii) of the Immigration and
14 Nationality Act (8 U.S.C. 1151(c)(1)(B)(ii)) is amended
15 to read as follows:

16 “(ii) In no case shall the number com-
17 puted under subparagraph (A) be less than
18 the sum of—

19 “(I) 226,000; and

20 “(II) the number computed
21 under paragraph (3).”.

22 (b) RECAPTURING UNUSED VISAS.—Section 201 of
23 the Immigration and Nationality Act (8 U.S.C. 1151) is
24 amended by adding at the end the following:

25 “(g) RECAPTURING UNUSED VISAS.—

1 “(1) FAMILY-SPONSORED VISAS.—

2 “(A) IN GENERAL.—Notwithstanding the
3 numerical limitations set forth in this section or
4 in sections 202 or 203, beginning in fiscal year
5 2022, the number of family-sponsored immi-
6 grant visas that may be issued under section
7 203(a) shall be increased by the number com-
8 puted under subparagraph (B).

9 “(B) UNUSED VISAS.—The number com-
10 puted under this subparagraph is the dif-
11 ference, if any, between—

12 “(i) the difference, if any, between—

13 “(I) the number of visas that
14 were originally made available to fam-
15 ily-sponsored immigrants under sec-
16 tion 201(c)(1) for fiscal years 1992
17 through 2021, setting aside any un-
18 used visas made available to such im-
19 migrants in such fiscal years under
20 section 201(c)(3); and

21 “(II) the number of visas de-
22 scribed in subclause (I) that were
23 issued under section 203(a), or, in ac-
24 cordance with section 201(d)(2)(C),
25 under section 203(b); and

1 “(ii) the number of visas resulting
2 from the calculation under clause (i) issued
3 under section 203(a) after fiscal year
4 2021.

5 “(2) EMPLOYMENT-BASED VISAS.—

6 “(A) IN GENERAL.—Notwithstanding the
7 numerical limitations set forth in this section or
8 in sections 202 or 203, beginning in fiscal year
9 2022, the number of employment-based immi-
10 grant visas that may be issued under section
11 203(b) shall be increased by the number com-
12 puted under subparagraph (B).

13 “(B) UNUSED VISAS.—The number com-
14 puted under this paragraph is the difference, if
15 any, between—

16 “(i) the difference, if any, between—

17 “(I) the number of visas that
18 were originally made available to em-
19 ployment-based immigrants under sec-
20 tion 201(d)(1) for fiscal years 1992
21 through 2021, setting aside any un-
22 used visas made available to such im-
23 migrants in such fiscal years under
24 section 201(d)(2); and

1 “(II) the number of visas de-
2 scribed in subclause (I) that were
3 issued under section 203(b), or, in ac-
4 cordance with section 201(c)(3)(C),
5 under section 203(a); and

6 “(ii) the number of visas resulting
7 from the calculation under clause (i) issued
8 under section 203(b) after fiscal year
9 2021.

10 “(3) DIVERSITY VISAS.—Notwithstanding sec-
11 tion 204(a)(1)(I)(ii)(II), an immigrant visa for an
12 alien selected in accordance with section 203(e)(2) in
13 fiscal year 2017, 2018, 2019, 2020, or 2021 shall
14 remain available to such alien (and the spouse and
15 children of such alien) if—

16 “(A) the alien was refused a visa, pre-
17 vented from seeking admission, or denied ad-
18 mission to the United States solely because of
19 Executive Order 13769, Executive Order
20 13780, Presidential Proclamation 9645, or
21 Presidential Proclamation 9983; or

22 “(B) because of restrictions or limitations
23 on visa processing, visa issuance, travel, or
24 other effects associated with the COVID–19
25 public health emergency—

1 “(i) the alien was unable to receive a
2 visa interview despite submitting an Online
3 Immigrant Visa and Alien Registration
4 Application (Form DS–260) to the Sec-
5 retary of State; or

6 “(ii) the alien was unable to seek ad-
7 mission or was denied admission to the
8 United States despite being approved for a
9 visa under section 203(c).”.

10 **SEC. 60003. ADJUSTMENT OF STATUS.**

11 Section 245 of the Immigration and Nationality Act
12 (8 U.S.C. 1255) is amended by adding at the end the fol-
13 lowing:

14 “(n) VISA AVAILABILITY.—

15 “(1) IN GENERAL.—Notwithstanding subsection
16 (a)(3), the Secretary of Homeland Security may ac-
17 cept for filing an application for adjustment of sta-
18 tus from an alien (and the spouse and children of
19 such alien), if such alien—

20 “(A) is the beneficiary of an approved peti-
21 tion under section 204(a)(1);

22 “(B) pays a supplemental fee of \$1,500,
23 plus \$250 for each derivative beneficiary; and

24 “(C) is otherwise eligible for such adjust-
25 ment.